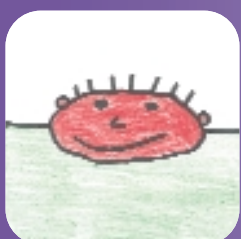


Comisiynydd Plant Cymru Children's Commissioner for Wales

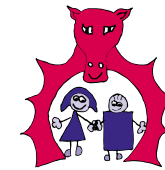




Sharon Clapton
Personal Assistant



Peter Clarke
Children's Commissioner for Wales

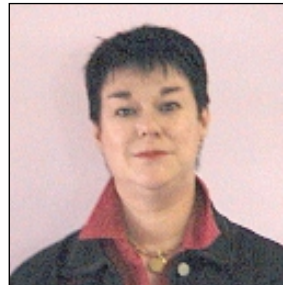


Comisiynydd Plant Cymru
Children's Commissioner for Wales

The Commissioner & His Team



Maria Battle
Assistant Commissioner (Deputy, Legal & Administration)



Rhian Davies
Assistant Commissioner (Policy & Service Evaluation)

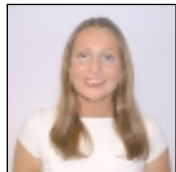


Sara Reid
Assistant Commissioner (Communications)



Charlotte Blair
Finance & Administration Manager

Administration Assistants



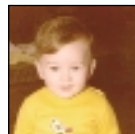
Michelle Holland



Carol Roberts



Jon Murphy



Manus Sheridan

Policy & Service Evaluation Team



Mair Jones
Senior Policy & Service
Evaluation Officer



Peter Hosking
Senior Policy & Service
Evaluation Officer

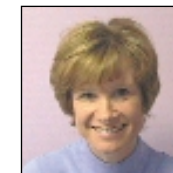


Lisa Turnbull
Research Officer

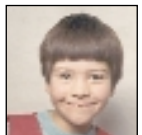
Communications Team



Julie Griffiths
Senior Communications Officer



Elin Jones
Communications Officer



Karen Burrows
Communications Officer

Children's Commissioner for Wales Annual Report and Accounts 2001 - 2002

A word from the Commissioner.....

Saying that the year has been exciting and challenging would be a major understatement. There has been so much to do, the most important being listening to, and talking with, as many young people as possible. I have travelled across Wales finding out what concerns our children and young people - trying to understand how they see the world.

Much of what I have heard has saddened me, especially the fact that so few young people feel they are respected by us adults. My work has also brought into close focus the ways in which children can be seriously harmed by adults, either deliberately or by carelessness.

But much else has brought joy, especially the creativity and skills that young people show, and their willingness and capacity to discuss the issues that affect them.

While many of these issues are complex, others have seemed relatively trivial at first.

Many school pupils mention the state of school toilets, for example. It may seem a practical issue, but young people feel that the fact that facilities are allowed to be of such a poor standard shows a lack of respect.

Talking to children is the most enjoyable part of the job, and is vital if I am to earn their respect as champion of their rights and welfare. I have made special efforts to talk with those who are often left out, like children in care and disabled young people. I have also spent a lot of time talking to groups working with young people, who have such a strong influence on their lives. Partnerships have been forged, and I have been struck by the high level of good will towards the Commissioner's office, and our aims.

Many people working with children don't feel they are highly respected either, and one of the issues we must address is staff recruitment, training and retention. In too many children's services staff morale is low. We need confident and stable staff teams if we are to achieve the improvement in children's lives that so many of us want.

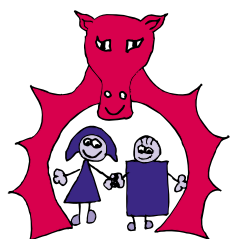
Just setting up the office has been a major challenge, with all the systems that need to be in place. The arrival of the majority of the staff team early in this year made a huge difference to the things we can do.

The first year has been all about getting started, building understanding and relationships. I will probably never feel fully satisfied with the progress made, but I do think we have made a reasonable beginning towards changing children's lives for the better.



Peter Clarke

Children's Commissioner for Wales



Comisiynydd Plant Cymru
Children's Commissioner for Wales

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Website: www.childcomwales.org.uk

Illustrations by children and young people
who entered our logo competition.

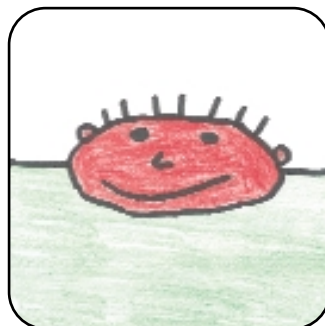
Comments on our priorities by children and young people.



Mathew,
age 6, Swansea



Gabriella,
age 11, Pencoed



Joseph,
age 11, Flemingston



Kristian,
age 10³/₄, Usk

Introduction

Context and Background

Wales stole a march on the rest of the UK when the National Assembly for Wales appointed a Children's Commissioner. Following a concerted campaign by those concerned with children's human rights for over a decade or more, Sir Ronald Waterhouse's report, *Lost in Care*, into abuse in North Wales children's homes made the establishment of a Children's Commissioner its first recommendation and provided additional momentum.

The National Assembly for Wales was committed to establishing the post and consulted widely on its proposals. It opted for a statutory, independent Commissioner with a wide-ranging remit, whose functions would not be confined to the social care field.

The Care Standards Act 2000 was amended to establish the office, but limited to regulated services. The Commissioner was recruited, with the full involvement of young people in the December 2000. Immediately after the announcement of the appointment, UK government introduced the Children's Commissioner for Wales Bill to extend the remit. The initiative received all-party support and was enacted on 11 May 2001.

Remit and Powers

The Children's Commissioner for Wales Act 2001 set out the principal aim and widened the Commissioner's role by:

- giving a power to review the effect of policies, and delivery of services to children
- extending the Commissioner's remit well beyond services directly provided for children, such as social care, health and education, to include areas such as transport, the environment, economic development and agriculture.

The powers also cover policies and practice of the National Assembly itself.

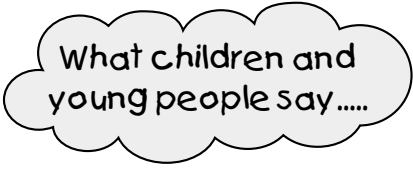
The Children's Commissioner can consider, and make representations to the Assembly about, any matter affecting the rights or welfare of children in Wales. This means that he can deal with issues such as Home Office run Juvenile Offenders institutions, the Family Court and benefits - matters not within the remit of the National Assembly for Wales.

The powers of the Commissioner are designed to be sufficient for him to act as an informed champion of children and their rights. They include authority to give advice and guidance to children, and a requirement to ascertain the views of children and young people.


The Commissioner can examine the case of a particular child or children if it involves an issue that has a more general application to the lives of children in Wales and can require an agency or person acting on their behalf to provide information. He can also require the attendance of witnesses who then give evidence on oath. Such an examination by the Commissioner will usually only happen when all other routes have been exhausted.

The post was set up with a strong emphasis on a power to influence, and to help change the culture in which children grow in Wales. This cultural change will be within organisations, and within local communities as well as in Wales as a nation. As with other initiatives, such as the NAFW's **Framework for Partnership, Extending Entitlement and Llais Ifanc/Young Voice**, the creation of the role shows the emphasis placed on establishing ways for young people to participate meaningfully in decisions that affect them.

The Commissioner must have regard to the United Nations Convention on the Rights of the Child in everything he does. Children's rights underpin all his team's activities, and the main way in which those rights will be realised in Wales is through active participation. This will empower young people and enlighten adults whose work and attitudes affect them.



What children and young people say.....



Stop people being cruel to children and hitting them indoors.

Want to know more?

- The Care Standards Act 2000 and the Children's Commissioner for Wales Act can be found on the HMSO website at: www.legislation.hmso.gov.uk/acts.htm
- The Assembly passed legislation in July 2001 and these can be found on the HMSO website at www.wales-legislation.hmso.gov.uk
- The Assembly's consultation document on proposals for the Commissioner regulations provides further details on the full remit and range of powers. It can be found on the Assembly's website at: www.wales.gov.uk/subchildren.
- For more information on Children's Commissioners and ombudspersons in Europe try www.ombudsnet.org.

We should have more out of school activities to stop vandalism and children getting bored.



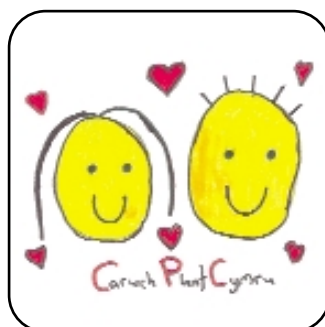
First publications include a clear and concise general information leaflet in six of Wales' languages



Owain,
age 5, Y Trallwng



Lara,
age 14, Swansea



Megan,
age 11, Sir Benfro



Natalie,
age 9, Swansea

PART ONE: What this means in practice

Who we are.....

The Children's Commissioner's staff team now consists of 17 staff members based in offices in Swansea and Colwyn Bay. For most of the period covered by this Annual Report, the team was not in post with the majority of staff joining in the period January – March 2002. At full strength there will be 22 members of staff.

There are three distinct teams, each headed by an Assistant Commissioner:

Legal and Administration – providing legal expertise, financial and administrative support for the organisation.

Policy and Service Evaluation – influencing practice and policy and promoting better services for children.

Communications – reaching out to children and young people, involving them in our work and increasing awareness of the Children's Commissioner and children's rights.

Each team contributes specific skills and undertakes different activities on behalf of the Commissioner. In general work is conducted on a cross-functional project basis, allowing staff members to consolidate existing specialisms and develop new areas of expertise.

What we do.....

The Children's Commissioner and his team aim to:

- safeguard and promote the rights and welfare of children and young people in Wales
- make children and young people aware of their rights under the UN Convention of the Rights of the Child
- ensure that children and young people are aware of the role and powers of the Children's Commissioner
- promote children's participation in decisions that affect them
- seek the views of children and young people on the work to be undertaken by the Commissioner
- involve children and young people directly in the work of the Commissioner
- make special efforts to ensure that the voices of groups of marginalised young people are heard, and their views acted upon.
- review and monitor arrangements for children's complaints, and for advocacy and whistleblowing
- help change public attitudes towards children in Wales
- manage the offices of the Children's Commissioner effectively and efficiently

No more SATS!

How we do this.....

The values that drive us.....

A number of core values underpin the Commissioner's work:

- The interests of the child always come first
- We will always deal with children honestly, and will communicate with them in ways that enhance understanding
- The views of children and young people are the most important guide to our work.
- Children and their views are always to be treated with respect
- Children and young people should enjoy their full rights as set out in the UN Convention on the Rights of the Child
- Contact with our office should always result in children and young people feeling more confident and understood
- Integrity of intent and action guides all that we do

Less talking,
more doing!

Speaking out for children and young people – individual cases and broader issues

The Commissioner's role as advocate for individual children was given much thought and was informed by European experiences, where some ombudspersons had found their work completely dominated by this. But, a knowledge and understanding of the actual issues that confront individual children is a vital element of being able to identify concerns and trends that impact on larger numbers. The credibility of the Commissioner as championing children's rights and welfare would be undermined in the eyes of children, if he did not respond to their pleas for help. Striking the balance is crucial.

The role in this area was therefore set up to allow the Commissioner to intervene on young people's behalf, but also to ensure that there are effective systems for them to get individual issues resolved at a local, or service, level.

How it works.....

Individual cases

A child, or their representative, contacting the office for help will always be listened to. We will then ask whether they have tried any systems already in place. If not we help them find the appropriate route, or get them an advocate. We ask the young person to keep in touch and support them as they navigate any complaints or appeals procedures.

We can also offer guidance to advocates. We usually advise that the child or advocate lets the agency dealing with the issue know that the Children's Commissioner is aware of the case, as it often speeds up the response. If their issue is not being dealt with according to proper procedures, or if they have reached the end of the road procedurally, we will intervene directly on their behalf.

Occasionally we will make an intervention much earlier, especially where it is clear that the matter can be sorted out very quickly. Many cases are dealt with quickly and successfully, but several require lengthy and consistent work alongside the child or young person. Although the Commissioner has not yet used the legal powers to get information from agencies providing services to children, it has been necessary to remind some agencies of their existence.



Broader issues

These come to the Commissioner's attention in three main ways:

- 1 Information about individual issues and cases is recorded and analysed, so that gaps, trends and areas of concern emerge. In 2001-2002 issues such as the provision of speech therapy came to his attention in this way.
- 2 Specific issues come to his attention through contact with individuals – children, young people, their carers or professionals – or by letter, email or petition from individuals, groups and organisations. Concerns about building schools on former landfill sites, the standard of school toilets, and representations leading to the establishment of the Clywch Inquiry came to the Commissioner's attention in this way in the period concerned.
- 3 External events mean that action is called for. The withdrawal of the Children's Society from Wales is just one example of this.



Siwan,
age 13, Treffynnon



Daniel,
age 11, Wrexham



Rhys,
age 12, Haverfordwest



Leanne,
age 15, Cwmbiran

CASE STUDY

School toilets

During visits to schools, events and other gatherings of children and young people, the Children's Commissioner heard frequent complaints about the state of school toilets. This was felt by many to reflect the general lack of respect that adults have for them. Doors that don't lock, no toilet paper, poor cleaning, inadequate sanitary arrangements for young women, were all mentioned along with a host of other physical shortcomings (not to mention bad smells).

The strength of feeling was obvious, but hard evidence on the extent of the problem and the possible solutions was not.

Our response

The Policy team set about reviewing current policy and inspection standards – and looked into who might hold the key to resolving the problem.

The Communications team undertook a survey of the state of the nation's school toilets covering all age groups in all parts of Wales.

Action

The findings are now being analysed and an action plan – including a campaign strategy – developed for 2002-2003.

The first 13 months

The period covered by this Annual Report was in effect the development phase for the office, and the first 13 months were taken up with many of the basic tasks associated with starting an organisation from scratch. This was a tremendous and enjoyable challenge, and by the end of the period both offices were operational and the majority of staff were in place. Systems for financial control, budget planning and monitoring, and effective management were developed and policies and procedures across all areas of the office's activity were created.

But that doesn't mean that the Commissioner's 'real' work didn't go ahead.



Siân,
age 12½, Caerphilly



Josh,
age 10, Ebbw Vale



Claire,
age 14, Pen-coed



Billy,
age 12, Hawarden

Listening.....

The Commissioner spent as much time as possible meeting with children and young people of all ages, language groups and backgrounds - in schools, youth clubs, or wherever else they gathered. The approach was to listen and to create an environment and atmosphere that encourages the sharing of views and concerns. Special attention has been given to groups of young people who are often marginalised, and regular links have been created. Some meetings have been around particular issues while others have been free-ranging and led by young people.

Hearing.....

Young people's willingness and ability to talk about the things that affect and concern them has been impressive and consistent and there were clear messages about the most important issues for them. But clearly it's not enough to listen – children have to know they've been heard and children and young people's views are shared and represented whenever the opportunity arises.

Getting the message out.....

A children's champion needs to speak out and represent the views and interests of children to the public and to policy makers. Representations were made to the Assembly, and during the first year interviews were given to national, local and UK newspapers, journals, television and radio promoting the role, raising awareness and responding to specific issues and news stories, including the building of schools on former landfill sites, exam stress, drugs policy and child protection.

Earning respect.....

A children's champion needs to earn respect and the biggest test for the Commissioner is to be seen by the young people themselves as their champion.



Regular dialogue with professionals and organisations

A wide range of individuals and organisations campaigned for a Children's Commissioner for Wales, and contact with such concerned groups has been maintained. Regular contact with organisations and groupings of adults who have a clear and significant impact on children's lives is vital. There are many adults who are strong advocates for children and many others who provide excellent services to them. This includes key professional groups, such as paediatricians, social workers and teachers, as well as parents and voluntary agencies. Links into networks of this type have been established. Although the interests of children are not always identical to those of the professionals who work with them, they often are. For some children and young people, without adult support communicating with the Commissioner would be extremely difficult because of their age or communication needs.

Expert support

Access to expert help – particularly on matters such as the law – is crucial. A team of legal experts is retained and through regular contact and liaison with groups such as the special Reference Group convened by Children in Wales, and bodies and professional associations such as the Welsh Local Government Association and the Association of Directors of Social Services (Cymru) their views are sought.

The Commissioner is a member of ENOC (European Network of Ombudspersons for Children) and this has been a considerable asset, enabling us to draw on others' experience in similar roles. Visits took place to the Ombudsmen's Offices in Sweden and Norway as the staff structure of the office was being developed.

A list of visits, formal meetings and conferences can be found in Appendix One.

CASE STUDY

'Help me find a logo!'

The embryonic mechanisms for communicating with children and young people had a sudden growth spurt at the end of 2001-2002. With all the communications staff in post, the quest for a logo and image for the office was launched. Over 100,000 packs were sent out to children all over Wales via schools, youth clubs, children's homes and other projects. These included a brief outline of the Commissioner's role and function along with workshop ideas, and contact details that children and young people could keep. Around 4,000 entries were received and judged by children and young people. Twelve year old Rhiannon Chapman from Castell Alun High School in Flintshire won the £100 first prize and has the honour of seeing her logo appear on everything the Children's Commissioner produces.



The winning design: Rhiannon Chapman
with CBBC & S4C's Rhodri Owen



Bethany,
age 8, Llanelli



Kaysha,
age 14, Pontnewydd



John,
age 16, Bridgend

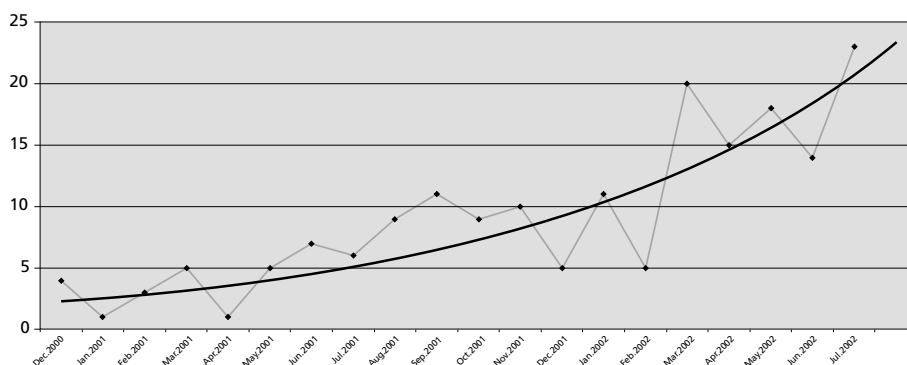


Niki-Lee,
age 10, Saltney

Supporting children and young people: the facts and figures

Contact from children and young people and work on individual cases has been a feature from the start. Since the full complement of staff came on board the volume has increased exponentially as the chart below – covering the period to July 2002 – illustrates.

Cases and Issues: Contacts by Month in Office
(to end July 2002)

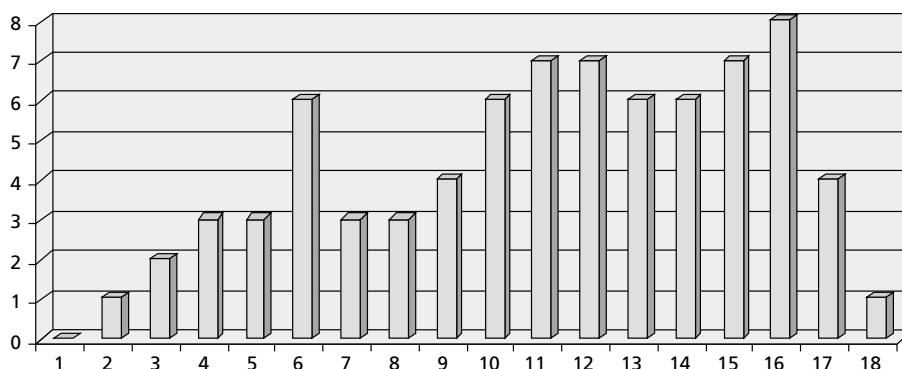


In addition to work on specific issues or cases, the Commissioner also responds to requests for information.

During the period covered by this report the systems for recording information and tracking progress were developed. Consequently, detailed analysis of the statistics for 2002-2003 will be possible, while the statistics detailed here give a broad impression of this particular aspect of the work of the office.

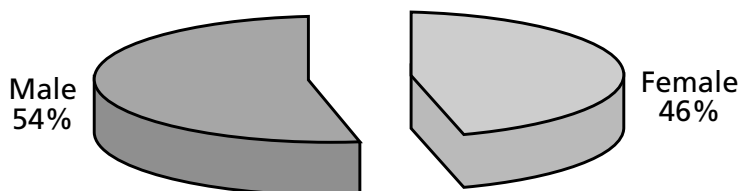
In total action was required in respect of 112 contacts made, and the following charts indicate the age and gender profiles of those children and young people.

Ages of children and young people on whose behalf action was taken
1 March 2001 - 31 March 2002



A number of other young adults also received support from the Children's Commissioner since the particular issues fell within his remit.

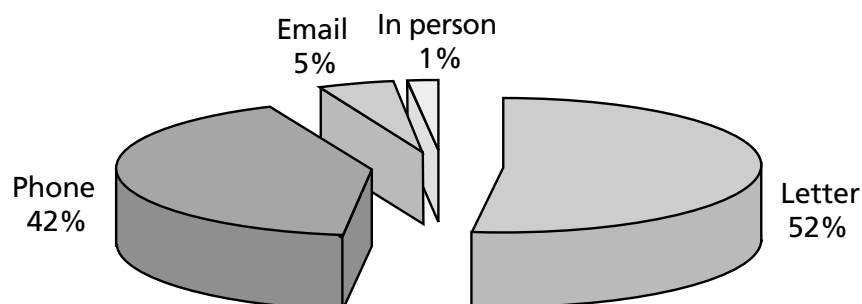
Gender of children and young people on whose behalf action was taken



How they contacted the Commissioner

The majority of contact was by letter or telephone, although email contact is now increasing – particularly with the development of new communications systems.

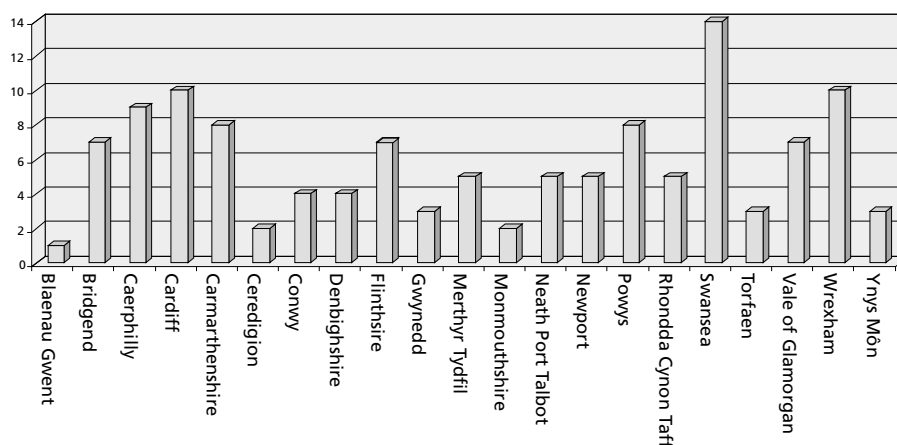
Method of contacting the Commissioner



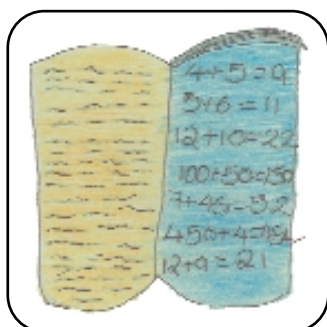
Where were the children and young people from?

Number of issues from each Local Authority area

1 March 2001 – 31 March 2002



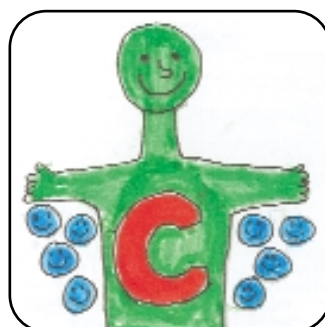
At such an early stage in the office's history it is clear that awareness of the office may have been patchy and it cannot be assumed that the receipt of a large number of complaints is evidence of the prevalence of difficulties within a local authority area.



Georgia,
age 10, Usk



Elin Ann,
age 11, Dinbych

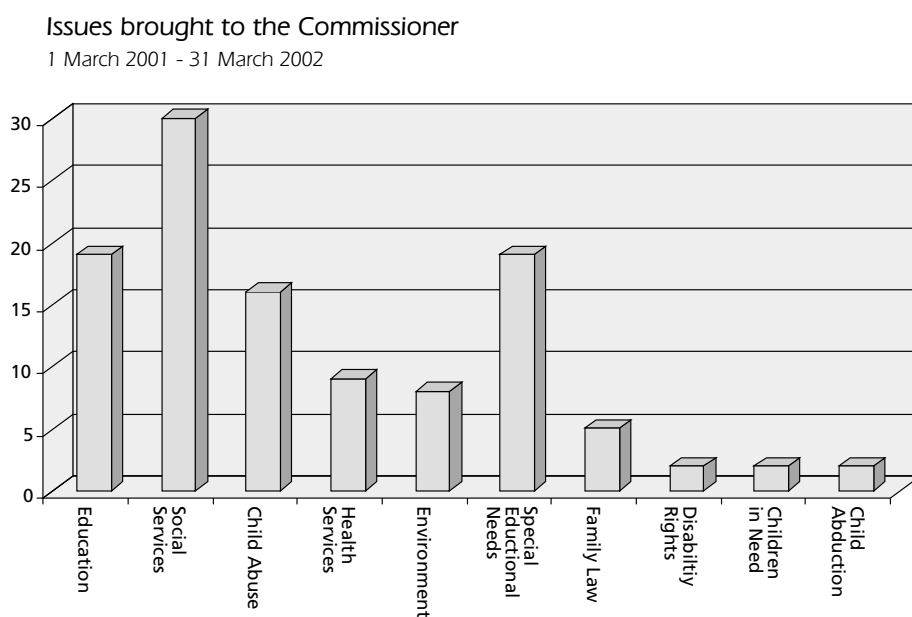


Huw,
age 7, Llangyfelach

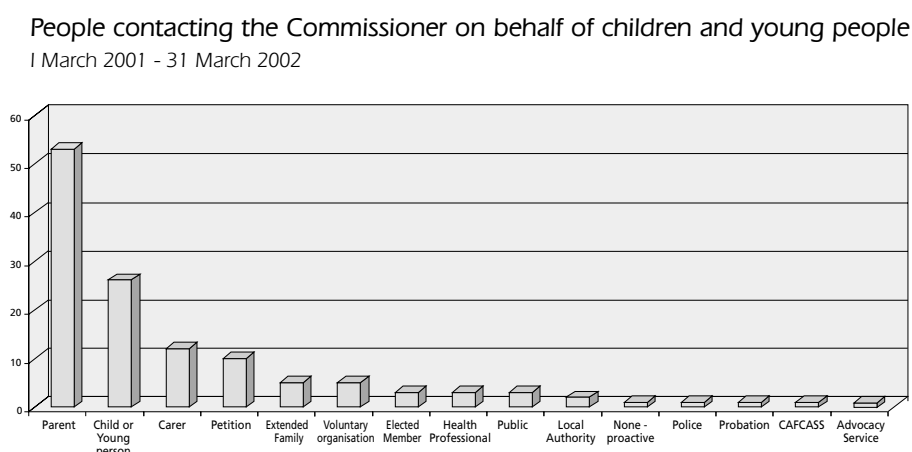


Katie,
age 9, Buckley

What were the issues?



Who made the contact?



Other contact

Representations in the form of letters and petitions large and small were received on a range of issues including relocation of schools, the lack of playground facilities and the Crymlyn Burrows incinerator. In excess of 500 names on petitions were received.

In addition to responsive media coverage, public statements were made on the Children's Commissioner's general approach, proposals for building schools on former landfill sites, the Children's Society, the Clywch Examination, 'a year as children's champion' and exam stress.

The Clywch Examination

On 25th March 2002 the Children's Commissioner for Wales launched the Clywch Examination. His findings and recommendations are due to be published in 2003.

The terms of reference for the Clywch Examination appear in Appendix Two of this report.

PART TWO: The way ahead

Many key developments in the work of the Children's Commissioner's office and team occurred at the very end of the period relevant to this report. Following intensive development work, the work of his team has now begun in earnest.

Long term goals for the tenure of the current Commissioner (2001–2008) have been set, key elements of which are to:

- 1) establish mechanisms to seek the views of children and young people in Wales (CYP) on matters of importance to them, in particular groups of CYP who are marginalised.
- 2) have mechanisms in place so that CYP are directly and meaningfully involved in setting our work programme, in its implementation, and in the monitoring of its effectiveness.
- 3) ensure that CYP's views derived from the above are represented accurately in all appropriate media, and that they are known to all relevant decision makers.
- 4) set up adequate and appropriate systems for dealing with advocacy, complaints and whistleblowing in all agencies providing services to CYP in Wales.
- 5) significantly raise awareness of the Children's Commissioner's existence, role and function.
- 6) have a majority of CYP in Wales aware of their rights, particularly those set out in the UN Convention on the Rights of the Child.
- 7) directly influence key decision makers in Wales, including the general public.
- 8) establish systems for planning, monitoring and reviewing the work of the Commissioner.
- 9) have systems, procedures and arrangements in place for finance and audit consistent with the requirements of the National Audit Office.

Plans for the coming year.....

Each year, the Commissioner will produce an Annual Plan designed to move towards the achievement of the strategic aims. It will set clear, measurable and specific targets wherever possible. However, our aims require us to be responsive to the needs and wishes of the children and young people of Wales, and to pick up issues that they raise. The work associated with those will vary since they are unknowable in advance but will have a significant impact on our workload. We therefore need to be willing to review and alter our plans. Consequently, we must monitor and review disposition of funds within our budget as well.



During the year 2002-03 - the first year the Commissioner will have operated with an almost complete staff team - we aim to consolidate and build on the development of the office, and the direct work.

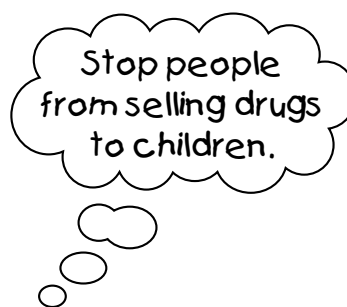
Keeping the dialogue going.....

There is exciting work to be done to establish direct links with young people and this is most evident in the plans of our Communications team. A multipurpose general information leaflet in 6 of Wales' languages, contact cards and a portfolio of workshops have been produced or are being developed. An email survey group of children and young people is growing larger every day. A new website will be developed in partnership with groups of young people. We will pilot a system of ambassadors in schools, identifying small numbers of pupils who will pass information to their peers about the Commissioner, and act as a channel of communication between the Commissioner and the pupils.

We will produce information leaflets, and other documents in a style attractive to different age groups of children and young people. We will distribute these at every opportunity to them, and will have a presence at relevant events and Eisteddfodau.

Regular meetings will take place through the year with organisations of young people, with schools' councils and youth fora, and especially with groups representing the interests of young people often marginalized. These will include:

- The Black Youth Network
- Disability Reference Group
- Funky Dragon
- Traveller Children
- Voices from Care
- Young Carers



Keep building.....

The Commissioner and his team will continue the development of the office, ensuring that all the systems and structures are in place to meet statutory requirements and make us efficient and effective. We will build on the significant work undertaken in the first year, especially our Human Resources policies. In our second year, we still need to improve the fabric of our offices, and to finish equipping them. We will consolidate and improve our resources, gathering and organising information in legal, policy and participation fields to inform our work.

Keep talking.....

The Commissioner and his team will continue to represent children's views and interests in the media - always encouraging adults to listen to young people and to involve them meaningfully in the decisions that affect their lives.

We will undertake campaigns on particular issues. We will focus on educational issues in particular, arguing for improvements in school buildings (especially toilet arrangements) and on excessive testing of children.

Keep reviewing.....

The Commissioner will complete the first phase of a wide Review of advocacy, complaints and whistleblowing arrangements for young people. This first phase is focused on Local Authority Social Services Departments, with subsequent work looking at Health, Education and related fields. The Review is based on a questionnaire to be returned by every Local Authority, followed by interviews. It aims to find out what systems and resources are in place, and how they are meant to work. Children and young people will be given a voice in this review.

Keep meeting.....

The Commissioner and his staff will continue to meet regularly through the year with a range of key bodies and organisations.

The Commissioner is linked to the National Assembly for Wales via the Minister for Health and Social Services, although this administrative arrangement does not preclude contact with other Departments when appropriate. There will be a meeting with the Minister on four occasions during the year, and meetings with officials will occur whenever necessary.

Keep alongside children and young people.....

The Commissioner and his staff will continue to provide advice and guidance to children and young people who contact the office for help. We will help them express their concerns and wishes, and ensure that they get appropriate support. Where they are unable to achieve acceptable outcomes, we will advocate directly on their behalf. We will monitor the way in which service providers respond to their expressed concerns, and intervene if this is not in line with procedures or best practice. We will maintain records of our work so that we may thereby identify areas that might benefit from more systematic review. This area of our activity is linked to our capacity and intention to make the role of the Commissioner's office known to far greater numbers of children in Wales.

PART THREE: Children's Commissioner's Review of Issues relevant to the rights and welfare of children

This first year's Review reflects the main issues brought to my attention in the period from March 1st 2002-August 2002. I have tried to give major prominence to the issues that children and young people themselves have voiced as being most important. This approach will be continued in future years. As our mechanisms for involving and consulting young people in Wales become more established, so their views will be more directly and clearly expressed in my Reports. I do not pretend that I am able to present all the issues that affect young people at this time.

Child Poverty

One third of all Welsh children live in poverty. I think this is a national disgrace, both for Wales, and the United Kingdom. Children in Wales, Scotland and Northern Ireland experience similar levels of poverty, but South West England and the whole of the rest of Western Europe, except Greece, do not.

In Wales, the greatest deprivation is in the valleys and major towns of South Wales. But these general statistics often mask pockets of extreme child poverty in other areas of our country. Children have not generally come forward to me stating that they are poor. This is completely understandable, given the stigma that still attaches to low income. But many children give very eloquent accounts of the effects of deprivation.

What children say about poverty

They tell of the embarrassment, and sometimes outright bullying, that they experience as a consequence of having free school meals- one in five Welsh children receive these. Some say that their school deals sensitively with this issue, all too many still identify poorer pupils by the high visibility of systems for providing free meals. They tell too of their not being able to go on school trips, and of having only restricted access to leisure and related facilities because of direct cost, or the cost of transport. A number of young people have told me that they think there should be free transport for all under 18s - they cite similar arrangements for the elderly – and this is a suggestion I shall investigate further.

Poor children express the same dreams and hopes as other young people, but know they have much less chance of achieving them.


Other things we know

Poverty impacts on all aspects of their lives, and its effects stay on into adulthood. If you are poor as a child you are more likely to be excluded from school, to suffer with mental illness or to become a teenage mother.

The Labour Government aims to halve child poverty within a generation. This genuinely laudable intention was to be realised by improving employment rates, and such measures as working families' tax credit and higher child benefit. There is clear evidence that these are achieving some success. There has been a 10% reduction in the number of children living in low-income families. However, this rate of progress is not sufficient to put the government on track to achieve its target. It is therefore vital that further UK policies are enacted.

Here in Wales, we do not have an Assembly led anti-poverty strategy. Although it can be argued that the National Assembly does not have power over some of the major policy weapons to combat poverty, this does not mean there is nothing we can do. An anti-poverty strategy for children in Wales should be developed, and it should involve young people directly in it.

Success in eradicating child poverty would be the biggest single thing we can do to help our children. They deserve no less.



I think we should have more places for young children to hang out. More things to do to stop vandalism.

Respect

What children say about respect

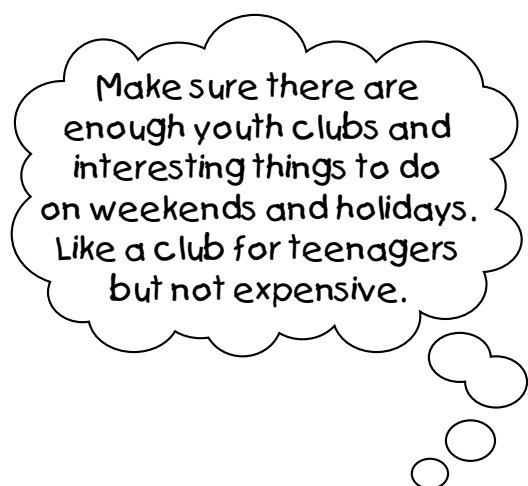
One of the most striking and consistent messages I have received from the children and young people of Wales has been their clear impression that they are not respected by adults.

Of course, many of them speak of individual adults who do demonstrate respect for them as individuals, such as parents, friends and teachers. Nonetheless, they feel that adult society as a whole is very disrespectful of them, often seeing them as a threat or a danger. The children point to the way they are portrayed in the media, and one of my sadnesses in this first year as Children's Commissioner for Wales has been to hear the tone of most callers to radio phone-ins where children are the focus.

They also tell of the way they are treated in restaurants, at bus queues, in leisure centres and shops. From their perspective the message we adults give is clear—they are not generally liked and their views and opinions are not taken seriously.

What to do

This is not a trivial matter in its own right. I believe it also helps to create an atmosphere and context in which some adults can believe that it is alright to abuse individual children, or to neglect them.



It really does seem as if we often only think of children in terms of control and discipline. Either that or we patronise them with approaches that are based on hopelessly over-sentimental viewpoints. Whether seen as poor little angels, or demons who are threatening the fabric of our society, children are not seen clearly as young persons.

There is no particular recommendation I can make to government that will provide an easy remedy to this malaise. All I can do is represent the children's view here, and urge all adults to examine themselves, and the organisations they work for, in the light of what children are revealing to us.

I also urge the media not to pander to unthinking stereotypes of young people so readily, and to publish their voices whenever possible.

I do believe that a strengthening of children's rights, and a rapid and radical increase in their participation in decisions that affect them, will help. It is much more difficult for adults to hold on to prejudiced and wrong views about children if they are working with them in partnership.

When adults do listen to young people, and work alongside them, and acknowledge and reward their achievements, both parties benefit. I believe that such circumstances help adults see young people as a creative resource, and that mutual respect is much more likely.

Participation

Some promising beginnings...

The National Assembly for Wales has made significant progress in advocating and supporting children and young people's participation in civic life in general, and the services provided for them in particular.

It has stimulated and funded the establishment of Funky Dragon, an organisation of and for young people to inform the Assembly itself. The Framework for Partnership requires the establishment of youth forums in each and every local authority in Wales and Extending Entitlement proposed the establishment of schools councils in every school. I will be monitoring progress on these welcome policy initiatives, but despite some genuine attempts at partnership, progress to date can only be described as patchy and inconsistent.

But some old problems...

In others, there has been either little progress, or the young people report only tokenistic relationships, with their views being at best listened to - never acted upon. This is a problem in many areas where adults try to embark on working in partnership with young people. In some cases participation is not set up in a way that will encourage young people to contribute, in others it is characterised by one-off events that are fine in themselves, but not sustained or followed up. In schools similar problems exist with the development of school councils. Far too many schools in Wales do not have even a semblance of a representative forum. In others, children report Council reps. being hand-picked by staff. Many also tell of staff dominance of meetings, and issues that they try to bring up being blocked or quietly ignored. Some paint a happier local picture, with a real partnership developing. One school in Pembrokeshire surveyed all its pupils and changed its managerial structure to address the issues the pupils raised

A challenge for adults...

I do not believe that some of the poor practices in participation are intentional on the part of the adults concerned. In the majority of cases adults simply do not know how to work in participatory ways with young people, and many have reported to me that they are nervous of doing so and I commend their honesty. We must address this issue to ensure the widespread involvement of children in decisions that affect their lives.

There are agencies that can, and do, offer direct help, and voluntary sector has, in general, shown a commendable lead - often involving young people in policy formulation, service delivery, evaluation and quality assurance and the appointment of staff. But, there is not yet a sufficient number of adults confident and skilled in this way of working to make the cultural change we want to achieve.

Even more challenges...

Other Local Authority departments are even further behind, with very little direct participation with children and young people in areas such as Leisure, Amenities, Transport and Town Planning. Decisions by these departments can have a huge impact on children's lives, yet their views and contributions are only rarely sought.

An example of this was the complete absence of genuine consultation with young people affected by the decisions to build schools on landfill sites in two areas of Wales. The Health Service has also struggled to come fully to terms with the participation agenda. The impending restructuring of the service will need to take into account the need to involve young people at all service levels, to establish mechanisms for consulting and working with them. There are emerging areas of good practice - the 'Healthy Schools' initiative being undertaken in Carmarthenshire to name but one.

Let's start at the top...

The National Assembly itself also has some way to go before it can say it is living up to its own ambitions for Wales in young people's participation, both in its own actions and those of a number of Public Sponsored Bodies. There is no doubting the seriousness of its intentions. These have been clearly stated in a number of important policy documents, and are evidenced by the creation of a Cabinet Sub-Committee on Children and Young People, and the continued support for Funky Dragon.



However, there are still far too many policy documents emerging with no evidence of young people's involvement, and no plan to involve young people in the consultation process. This is true even in cases where the policies concerned will have a clear and direct impact on significant numbers of children's lives, e.g. the SHSCW report on specialised healthcare.

A notable and positive approach was adopted in the formulation and implementation of the Children First initiative by the National Assembly. This should stand as an example of good practice, with young people being closely consulted and involved.

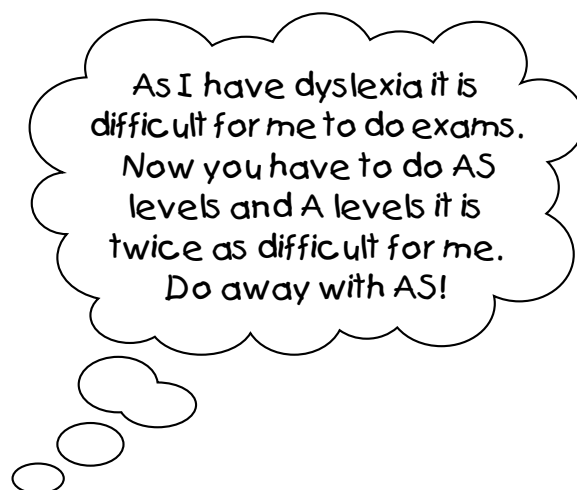
Setting examples...

I was appointed as Children's Commissioner for Wales by a process directly involving young people. This has been applauded across the world, and adopting such an approach is greatly to the credit of the NAW. All my staff were appointed in a similar way. One major step towards achieving success in this would be for children and young people to be participants in the appointment of every official working in services for children. I strongly recommend this.

Meaningful participation in decision making is one way of preparing young people for their role as adult citizens. It constantly surprises me that we expect 18 year olds to be fully engaged in our representative processes when we have given them so little direct experience of influencing and negotiating with the institutions that are meant to serve their interests.

Education

Most young people spend a high proportion of their waking lives in school, or in school related activities. Their schools are places where they learn not only the formal educational curricula, but about peer relationships, and how adults view them. In many discussions about education and schools, we forget that children are the greatest stakeholders. Certainly we do not give them much say in how these institutions are run, nor in the content and form of the education offered. We thereby miss the opportunity to give them experience of democratic processes, and of influencing their environment. We should not be so surprised at the consequent lack of interest by young people in political processes when they become young adults.



There are a number of particular issues that I have become aware of during my first year in office:

(a) Special Educational Needs

Services for children with special needs in Wales are in crisis, as they are in many other parts of the UK. There are problems in getting statements of educational need, problems in getting the services when statements have been issued, and problems in maintaining services once they have been obtained.

Some of these problems are to do with resources. There is a shortage of speech therapists, for example, and this is in turn a result of low numbers being trained and the lack of clear career paths for those who have. There are particular problems in providing such services in the medium of Welsh, and many parents are faced with the unacceptable choice of either getting a service in English or not at all.

Getting it together...

Some other problems are caused by difficulties in joint working arrangements between Education, Health and Social Services, all of these agencies normally need to work together to get the services that a child needs. Processes are far too slow, and it is the young person who will carry the consequences of delayed support - particularly in the critical years when it can be of such benefit. At the time of writing, the UK government has announced a general Review of Special Needs Education and I welcome this. The National Assembly should undertake a thorough Review in Wales, and commit the resources to carry through its recommendations.

(b) Exclusions

Not about 'us and them'...

School exclusion can have a devastating affect on the life prospects of the child or young person excluded. This is well researched and documented. When the issue is aired in the public arena it is normally in the context of a discussion about discipline and control, and the interests of the young people are seen to be at odds with those of the teaching staff.

In my discussions with both parties, I have not found that this is an adequate or accurate reflection of the situation. Certainly teachers need good order to be able to carry out their role, but many of them feel that they have to resort to exclusion because there are few, if any constructive alternatives. There is little support within or without the school that would allow them to teach while others took responsibility for whatever issues are leading to the problem behaviour. Many teachers describe how they feel that the control agenda plays too great a role in the work, and that they would welcome support from others to share this load.

Keep included...

I have been very impressed with initiatives in schools to try and tackle this issue in new ways. In Burry Port, a school has reduced exclusions by 70% by employing a special teacher, and a counsellor to a support unit within the school. In another South Wales school, the youth service has staff on the school site who work with young people in danger of exclusion. There are many other such initiatives that allow the teaching staff to teach in a managed environment, with the school rarely having to exclude. These are generally welcomed, by pupils and teachers alike, as being a far more constructive approach than exclusion. I have noticed that many such schools are also those making serious efforts to engage the pupils more widely in decisions within the school. This approach works.

(c) Testing

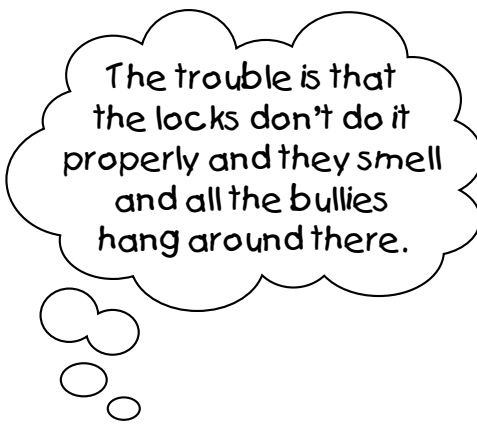
In 2002 the cohort of pupils taking A level examinations was unique in that it had probably been the most tested group of young people in the history of universal education in Wales. They were the first to undertake key stage 1 SATS, and were then tested at the other key stages. Having sat their GCSEs, they were then the first to sit the AS levels.

Many pupils have spoken to me of the effects they have experienced as a consequence of this regime. A few have had no problems, but the majority have described what it feels like to be so focused, for so long, on completion of modules and examinations. Many describe clear symptoms of excessive stress, and others talk of the gradual loss of the thrill of learning.

We need mechanisms for ensuring that our children are learning what they need to equip them for adulthood. We also need indicators of how schools are performing. However, we need to be careful to ensure that we are not testing our children too much, and must be convinced that it is actually adding benefit to our educational processes. When doing so, we also need to ensure that we listen to teachers, many of whom have described the times when they feel that the testing of pupils is distorting both their workload and the education provided.

I am very pleased that in Wales testing at Key Stage 1 has been scrapped, and advocate a national debate about the testing regime we want. This should include listening to the views of pupils and teachers, as well as parents.

We should be aware that academic training is only one element of education, and that much learning in schools takes place outside the formal curriculum. We should also be aware that many of the skills that employers need in contemporary business are to do with team working and interpersonal skills. These elements need as careful consideration, and priority, as academic skills. Many schools in Wales know this. We must ensure that this is reflected in our public and political debate, and in our policies.



The trouble is that the locks don't do it properly and they smell and all the bullies hang around there.

(d) School buildings and facilities


As well as concerns about the standard of toilet facilities, many school buildings are often mentioned by children and young people. It is clear that we still have a number of schools in Wales that are not fit for their purpose, and the children in these schools are all too aware of the shortcomings. This needs to remain a high priority for the Assembly.

Children's Rights

The UK government is a signatory to the UN Convention on the Rights of the Child, with two reservations on refugee children and child soldiers. I believe these reservations do not reflect well on our country and should be removed. Refugee children, and those seeking asylum, should be viewed first and foremost as children, and afforded all the rights and services that we aspire to for all our young.

There are a number of groups of young people within Wales who fare badly when their rights are looked at in the context of the UN Convention. Looked After children, children of travellers, young people in black and ethnic minority communities and young carers are just some of these. My office will be paying special attention to these groups.

Future Reports will contain a more systematic review of how children are faring in Wales in light of their rights under the UN Convention.



**I think we should
have more activities
and more youth clubs
and especially MORE SAY
on how money should
be spent in schools.**

Physical Punishment

I strongly support the campaign to remove the defence of reasonable chastisement from UK law. This issue is often, and I believe wrongly, seen as being primarily about smacking. Many people approach it from the point of view of a 'reasonable' parent, describing a light 'tap on the hand'. My experience listening to children who rang ChildLine tells me that even that is experienced very differently by children themselves. However, significant numbers of adults go very much further when chastising children. People often say - "but what else can you do when reasoning with children fails?" The obvious response is "What do you do when a smack fails? Hit them harder?" Smacking carries with it an inbuilt tendency towards an escalation of violence. There have been cases of beatings with belts and pieces of wood having been deemed acceptable in the British courts, treatment that would probably have been successfully prosecuted if the victims were animals.

I believe that a country that still allows babies to be hit, and that views assault on young people as acceptable, is not one in which we are likely to get very far in partnership with our young. Attempts to assure young people that we do respect them are comprehensively undermined by a law that says they are the only group in our society who can be struck with impunity. In my opinion, physical chastisement should be deemed 'inhumane or degrading treatment' under article 19 of the UN Convention. Research from other countries that have outlawed physical punishment is quite clear, and positive. My office will continue to campaign for the basic right of children not to be assaulted by adults.

Advocacy, complaints and whistleblowing

Systems that enable children and young people to make complaints, and for concerned adults to blow the whistle when employers are acting against children's interests, are a critically important element of safeguarding their rights and welfare. Most young people I have listened to do not have a clear picture of how they can complain, or of where they might get support to do so. What young people have told me already suggests that we have some way to go before we can say that we have systems that are adequate.

I have set in hand a thorough Review of such systems, commencing with those in Local Authority Social Services Departments. This is the first element of a Review of such systems in all areas that impinge on the lives of children.

PART FOUR

Resource Accounts for the period 1 March 2001 - 31 March 2002

FOREWORD TO THE ACCOUNTS

Function and operation

The Children's Commissioner for Wales was established by the Care Standards Act 2000. The powers, duties and functions of the Commissioner are set out in this Act. The Children's Commissioner for Wales Act 2001 and the Children's Commissioner for Wales Regulations came into force in August 2001. The first Commissioner, Mr Peter Clarke, took up duties on the 1st March 2001. In his first year he established offices in Swansea and Colwyn Bay, and devised a staffing structure. Staff were recruited, with children directly involved in interviews, to 17 of the 22 posts that will ultimately comprise the staff team.

These developments took place without having either a pre-determined plan or precedent in another similar office elsewhere in the UK.

Development work therefore included all elements of establishing an organisational framework, with particular attention being given to the formation of reference groups of young people to help guide the Commissioner in the exercise of his functions and the content of his annual work programme and to ensure that children and young people are aware of the role and powers of the Commissioner and the ways in which they can communicate with him and his staff.

The Children's Commissioner for Wales' functions are as laid out in the relevant legislation referred to in the first paragraph. It is notable that the legislation is 'permissive' in the sense that it lays few specific duties on the Commissioner, but enables actions and interventions over a wide sphere under the general power to act as the 'champion of children and young people in Wales.' This means that the Commissioner's activities are likely to vary from year to year, depending on what are perceived as the most important matters for children and young people's wellbeing. There is a clear requirement in the Regulations for the Commissioner to involve, and ascertain the views of, children and young people in the planning and delivery of his work.

The legislation confers important powers, primarily in access to information from persons or agencies providing services to children. The strongest powers are restricted to areas devolved to the National Assembly for Wales under the Government of Wales Act 1998. These include the exercise of functions of:

- The National Assembly for Wales
- Local Government (e.g. Education, Housing, Social Services, Leisure etc. including inspection)
- Health Services
- A number of Assembly Sponsored Public bodies

The Children's Commissioner is a Corporation Sole in law and as holder of the office is the Accounting Officer. He is required to produce an Annual Report to the First Minister of the National Assembly for Wales which summarises action taken in the exercise of his functions, a review of issues relevant to the rights and welfare of children in Wales and a summary of his work programme for the following financial year. The Commissioner shall also produce a version of the annual report which is so far as reasonably practicable suitable for children. Copies of his report will be sent to the libraries of the Houses of Parliament and the National Assembly for Wales.

Principal Aims and Objectives

The Principal Aim of the Children's Commissioner for Wales in exercising his functions is to safeguard and promote the rights and welfare of children and young people. These are derived from the relevant statutes and are to:

- make children aware of their rights under the UN Convention on the Rights of the Child
- ensure that children and young people are aware of the role and powers of the Children's Commissioner for Wales
- promote children's participation in decisions that affect them
- seek the views of children and young people on the work to be undertaken by the Commissioner
- involve children and young people directly in the work of the Commissioner
- make special efforts to ensure that the voices of groups of marginalised children are heard, and their views acted upon
- review and monitor arrangements for children's complaints, and for advocacy and whistleblowing arrangements
- help change public attitudes towards children in Wales
- manage the office of the Children's Commissioner for Wales effectively, efficiently and economically

Funding

The Children's Commissioner for Wales is independent of, but funded by the National Assembly for Wales.

Format of the accounts

These financial statements have been prepared in accordance with Paragraph 7(2) Schedule 2 of the Care Standards Act 2000 and the Accounts Direction issued by The National Assembly for Wales. A copy of that direction can be obtained from The Children's Commissioner, Charter Court, Phoenix Way, Swansea, SA7 9FS.

These accounts have been prepared for the period from 1st March 2001 to 31st March 2002 and reflect the assets, liabilities and financial outturn of the Children's Commissioner only.

Results for the year

The Operating Cost Statement shows a net operating cost, for the period, of £706,000. The general fund balance as at the year-end is £237,000 in credit. This balance mostly reflects the Commissioner's investment in information technology, office furniture and equipment.

Review of Activities and Future Developments

As stated a review of activities and future developments will be reported in the Annual Report of the Children's Commissioner for Wales which is due to be laid before the National Assembly in October 2002. This will be the first annual report of the Commissioner.

Senior officers

The members of the Management Team during the period were:

Peter Clarke	Children's Commissioner for Wales & Accounting Officer
Maria Battle	Assistant Commissioner, Legal & Administration (Deputy)
Rhian Davies	Assistant Commissioner, Policy & Service Evaluation
Sara Reid	Assistant Commissioner, Communications

Senior official appointments

The Commissioner was appointed by the National Assembly for Wales and took up office on 1st March 2001. The appointment was for a maximum of 7 years.

The remaining senior officers took up appointments during January 2002 through to March 2002 and were appointed by the Commissioner under Schedule 2 paragraph 4 of The Care Standards Act 2000.

Remuneration of members of the Management Board

The National Assembly for Wales determines the remuneration of the Children's Commissioner for Wales in accordance with Schedule 2 paragraph 3 to the Care Standards Act 2000.

For other members of the Management Team, remuneration was determined by the Children's Commissioner for Wales based on guidance from civil service recruitment specialists.

Further details on remuneration are set out in note 2 to these accounts.

Pension scheme

Present employees have an option to join a scheme administered by the Pension Trust which is a contributory unfunded scheme (see note 1.8 to these accounts).

Equal opportunities

All applications for employment with the Children's Commissioner for Wales were considered on the grounds that all job applicants should have equal opportunity for employment and advancement on the basis of their ability, qualifications and suitability for the work.

No job applicant or employee should receive less favourable treatment on grounds of race, colour, sex, sexual orientation, age, marital status, disablement, religion, family/domestic responsibilities or working patterns e.g. part-time, nor should any individual be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

Payment policy

Under the Late Payment of Commercial Debts (Interest) Act 1998, the Children's Commissioner for Wales is required to pay suppliers' invoices not in dispute within 30 days of receipt of goods or services or valid invoice, whichever is the later.

This was achieved for 97% of all such payments made during the period.

Auditors

The Children's Commissioner for Wales's accounts are examined and certified by the Auditor General for Wales in accordance with paragraph 9 of Schedule 2 to the Care Standards Act 2000. In accordance with current best practice, the Children's Commissioner is in the process of setting up an audit committee to advise him on the adequacy of audit arrangements (both internal and external).

Events since the end of the financial year

There have been no events since the balance sheet date that affect the understanding of these financial statements.

Peter Clarke

Children's Commissioner for Wales and Accounting Officer

30th August 2002

STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

Under Schedule 2 to the Care Standards Act, the Children's Commissioner for Wales is required to keep proper accounting records for each financial year, in conformity with a National Assembly for Wales direction, detailing the resources acquired, held, or disposed of during the period and the use of resources by the Commissioner for Wales during the period.

The resource accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Children's Commissioner for Wales, the net resource outturn, resources applied to objectives, recognised gains and losses and cash flows for the period.

Schedule 2, paragraph 10 of the Care Standards Act 2000 states the Accounting Officer shall be the Commissioner and, in accordance with schedule 2 paragraph 9 shall submit the Children's Commissioner for Wales Accounts to the Auditor General for Wales.

In preparing the accounts the Accounting Officer is required to comply with the Resource Accounting Manual prepared by the Treasury, and in particular to:

- observe the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards, as set out in the Resource Accounting Manual, have been followed, and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis.

The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which an Accounting Officer is answerable, for keeping of proper records and for safeguarding the Children's Commissioner for Wales's assets, are set out in the Accounting Officers' Memorandum issued by HM Treasury.

STATEMENT ON INTERNAL CONTROL

As Accounting Officer, I acknowledge my responsibility for ensuring that an effective system of internal control is maintained and operated in connection with the resources concerned. As a small organisation all of the key day to day financial and operational decisions are made either by me or with my agreement.

The system of internal control is based on an ongoing process designed to identify the principal risks to the achievement of my policies, aims and objectives, to evaluate the nature and extent of those risks and to manage them efficiently, effectively and economically. I expect to have the procedures in place before March 2003 necessary to implement Treasury guidance, as this will be the first year that my office has been in operation with a full management team. This takes account of the time needed to embed fully the processes which the management team has agreed should be established, and to improve their robustness.

We will hold a risk management workshop, which will be attended by representatives of all grades of staff throughout the office, during which we will identify my objectives and risks and determine a control strategy for each of the significant risks.

Members of the management team will receive risk-management training to allow internal control and risk-management to be considered fully on a regular basis during the year, and I aim to carry out full risk and control assessment before reporting on the year ending 31 March 2003. Risk management will be incorporated more fully into my corporate planning and decision-making processes.

I am in the process of setting up an audit committee, seeking guidance from internal audit members of the National Assembly for Wales to do so. Once in place the Senior Management Team will receive periodic reports on internal control and I will require regular reports from managers on the steps they are taking to manage risks in their areas of responsibility, including progress reports on key projects.

In the coming year I plan to:

- arrange a regular programme of facilitated workshops to identify and keep up to date the record of risks facing the organisation;
- introduce a programme of risk-awareness training;
- establish a system of key performance and risk indicators;
- develop and maintain an organisation-wide risk register;
- arrange for reports from my senior managers on internal control activities.

I use the services of the National Assembly for Wales Internal Audit Unit, which operates to standards defined in the Government Internal Audit Manual, and I am in the process of considering a draft service level agreement under which Internal Audit services will be provided. This will ensure the submission of regular reports, which include an independent opinion by the Head of Internal Audit on the adequacy and effectiveness of my office's system of internal control together with recommendations for improvement.

My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and of the senior managers within my office who have responsibility for the development and maintenance of the internal control framework, and by comments made by the external auditors in their management letter and other reports.

Peter Clarke

Children's Commissioner for Wales and Accounting Officer

30th August 2002

The Certificate and Report of the Auditor General for Wales to the Members of the National Assembly for Wales

I certify that I have audited the financial statements on pages 27 to 35 under paragraph 9(2) of schedule 2 to the Care Standards Act 2000. These financial statements have been prepared under the historical cost convention as modified by the revaluation of certain fixed assets and the accounting policies set out on page 31.

Respective responsibilities of the Children's Commissioner for Wales and Auditor

As described on page 24, the Children's Commissioner for Wales is responsible for the preparation of the financial statements in accordance with the Care Standards Act 2000 and National Assembly for Wales directions made thereunder and for ensuring the regularity of financial transactions. The Commissioner is also responsible for the preparation of the other contents of the Annual Report. My responsibilities, as independent auditor, are established by statute and guided by the Auditing Practices Board and the auditing profession's ethical guidance.

I report my opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Care Standards Act 2000 and National Assembly for Wales directions made thereunder, and whether in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them. I also report if, in my opinion, the Foreword is not consistent with the financial statements, if the Commissioner has not kept proper accounting records, or if I have not received all the information and explanations I require for my audit.

I read the other information contained in the Annual Report, and consider whether it is consistent with the audited financial statements. I consider the implications for my certificate if I become aware of any apparent misstatements or material inconsistencies with the financial statements.

I review whether the statement on page 25 reflects the Commissioner's compliance with Treasury's guidance 'Corporate governance: Statement on Internal Control'. I report if it does not meet the requirements specified by Treasury, or if the statement is misleading or inconsistent with other information I am aware of from my audit of the financial statements.

Basis of audit opinion

I conducted my audit in accordance with United Kingdom Auditing Standards issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Commissioner in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Commissioner's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by error, or by fraud or other irregularity and that, in all material respects, the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them. In forming my opinion I have also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In my opinion:

- the financial statements give a true and fair view of the state of affairs of the Children's Commissioner for Wales at 31 March 2002 and of the net resource outturn, resources applied to objectives, recognised gains and losses and cash flows for the 13 month period then ended, and have been properly prepared in accordance with the Care Standards Act 2000 and directions made thereunder by the National Assembly for Wales ; and
- in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them.

I have no observations to make on these financial statements.

John Bourn
Auditor General for Wales
9th September 2002

National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Schedule 1

Statement of Resource Outturn

for the period 1 March 2001 to 31 March 2002

	Gross expenditure £000	2001-02 Income £000	Net total £000
Administration costs	706	-	706

Reconciliation of resource outturn to net cash requirement

		£000
Net total resource outturn	(Schedule 2)	706
Fixed asset acquisitions	(Note 4)	378
Accruals adjustments:		
Non-cash items	(Note 3)	(93)
Changes in working capital other than cash	(Note 5)	(71)
Net cash requirement	(Schedule 4)	920

For the period 1 March 2001 to 31 March 2002, the National Assembly approved an estimate for the Children's Commissioner for Wales of £936,000. This estimate was on a cash basis, as the Assembly only adopted resource-based budgeting from 2002-03.

Schedule 2

Operating Cost Statement

for the period 1 March 2001 to 31 March 2002

	Note	2001-2002 £000	£000
Administration costs			
Staff costs	2		154
Other administration costs	3		552
Gross administration costs			706
Operating income			-
Net operating costs			706
Net resource outturn			706

All income and expenditure is derived from continuing operations.

There are no gains or losses other than those reported in the Operating Cost Statement.

The notes on pages 31 to 35 form part of these accounts.

Schedule 3

Balance Sheet

as at 31 March 2002

	Note	2002 £000	£000
Fixed assets			
Tangible Assets	4		292
Current assets			
Debtors	6	4	
Cash at bank and in hand	7	16	
		20	
Creditors: amounts falling due within one year	8	(75)	
Net current liabilities			(55)
Total assets less current liabilities			237
<i>Financed by:</i>			
Taxpayer's equity			
General fund	9		237

Peter Clarke

Children's Commissioner for Wales and Accounting Officer

30th August 2002

The notes on pages 31 to 35 form part of these accounts.

Schedule 4

Cash Flow Statement

for the period 1 March 2001 to 31 March 2002

	Note	2001-02 £000
Net cash outflow from operating activities		(542)
Capital expenditure	4	(378)
Financing from the Assembly		936
Increase in cash in the period		16

Notes to the Cash Flow Statement

		£000
Reconciliation of operating cost to operating cash flows		
Net Operating Cost		706
Adjust for:		
Non-cash transactions	3	(93)
Movements in working capital other than cash	5	(71)
Net cash outflow from operating activities		542
Analysis of capital expenditure		
Payments to acquire tangible fixed assets	4	378
Net cash outflow from capital expenditure		378
Analysis of financing		
Financing from the Assembly		936
(Increase) in cash	7	(16)
Net cash requirement		920

The notes on pages 31 to 35 form part of these accounts.

Schedule 5

Resources by Departmental Aim & Objectives

for the period 1 March 2001 to 31 March 2002

Aim: To safeguard and promote the rights and wellbeing of children and young people in Wales

		2001-2002	
	Gross	Income	Net
	£000	£000	£000
Objective:			
1. To ensure that children and young people are aware of the role and powers of the Children's Commissioner for Wales	706	-	706
2. To make children aware of their rights under the UN Convention on the Rights of the Child	-	-	-
3. To promote children's participation in decisions that affect them	-	-	-
4. To seek the views of children and young people on the work to be undertaken by the Commissioner	-	-	-
5. To involve children and young people directly in the work of the Commissioner	-	-	-
6. To make special efforts to ensure that the voices of groups of marginalised children are heard, and their views acted upon	-	-	-
7. To review and monitor arrangements for children's complaints, and for advocacy and whistleblowing arrangements	-	-	-
8. To help change public attitudes towards children in Wales	-	-	-
9. To manage the office of the Children's Commissioner for Wales effectively, efficiently and economically	-	-	-
Net operating cost	706	-	706

The notes on pages 31 to 35 form part of these accounts.

Notes to the departmental resource accounts

1. Statement of accounting policies

The financial statements have been prepared in accordance with the Resource Accounting Manual issued by HM Treasury. The particular accounting policies adopted by the Children's Commissioner for Wales are described below. They have been applied consistently in dealing with items considered material in relation to the accounts.

1.1 Accounting convention

These accounts have been prepared under the historical cost convention modified by the revaluation of fixed assets where material, at their value to the Commissioner by reference to their current costs.

1.2 Tangible fixed assets

The Commissioner has valued all fixed assets at historic cost as any revaluation adjustments are, in the Commissioner's opinion, not material. The minimum level for capitalisation of individual assets is £1,000. Large numbers of the same type of asset have been grouped together in determining if they fell above or below the threshold.

1.3 Depreciation

Depreciation is provided at rates calculated to write off the value of tangible fixed assets by equal instalments over their estimated useful lives. Lives are as follows:

- | | |
|-----------------------|---------|
| • IT Equipment | 3 years |
| • Furniture | 5 years |
| • Office Equipment | 5 years |
| • Fixtures & Fittings | 5 years |

A full year's depreciation is charged in the year of acquisition.

1.4 Administration expenditure

Administration costs reflect the costs of running the Children's Commissioner's office as defined under the administration cost-control regime, together with associated income.

1.5 Programme expenditure

The Commissioner does not have any programme expenditure.

1.6 Capital charge

A charge, reflecting the cost of capital utilised by the Commissioner, is included in operating costs. The charge is calculated at the government's standard rate of 6 per cent in real terms on all assets less liabilities, except for cash balances held with the Office of HM Paymaster General, of which there were none.

1.7 Value Added Tax

The Commissioner is not registered for VAT. Expenditure and fixed asset purchases are accounted for VAT inclusive, as they are irrecoverable.

1.8 Pensions

The pension scheme offered to all staff members is administered by the Pensions Trust. It is a contributory defined contribution scheme for which all liabilities are recognised during the period. There are no future liabilities to take into account for the scheme.

1.9 Operating leases

Operating lease rentals are charged to the Operating Cost Statement in equal amounts over the lease term.

1.10 Derivatives and financial instruments

The Commissioner has no borrowings and relies primarily on National Assembly grant for his cash requirements, and is not therefore exposed to liquidity risks. He also has no material deposits, and all material assets and liabilities are denominated in sterling, so he is not exposed to interest rate risk or currency risk.

2. Staff numbers and costs

- a) For the 13 month period staff costs consist of:

	2001-2002 £000
Wages and salaries	136
Social security costs	14
Pension costs	4
	<hr/> 154

The Pensions Trust scheme is a defined contribution scheme but the Commissioner is unable to identify his share of the underlying assets and liabilities. An actuarial valuation of the scheme was not available. For 2001-2002 normal employer contributions of £3,791 and normal employee contributions of £3,791 were payable to the scheme at a rate of 5% employers and 5% employees contributions of pensionable pay. At the last valuation of the Pension Trust fund as a whole, contributions to the scheme were to remain fixed at the current level. The cost recognised represents actual costs incurred for the scheme during the period as there are no future liabilities for the scheme.

- b) The average number of whole-time equivalent persons employed (including senior management) for the period was as follows:

	2001-2002
Objective 1	<hr/> 3.6
Total Number	<hr/> 3.6

- c) For the 13 month period the salary entitlements of the most senior managers of the Children's Commissioner were as follows:

	Age	Salary range (as defined below) £000	Benefits in Kind to nearest £100
Peter Clarke - Children's Commissioner for Wales	53	75-80	£2000
Maria Battle – Assistant Children's Commissioner (Deputy)	45	5-10	-
Rhian Davies – Assistant Children's Commissioner	44	0-5	-
Sara Reid – Assistant Children's Commissioner	40	5-10	-

The Commissioner is the only member of staff who has joined the Pension Trust scheme. It has not been possible to obtain information from the trustees as to his accrued pension to date.

3. Other administration costs

	2001-2002 £000
Rental under operating leases:	
- vehicles	4
- accommodation	17
Other accommodation & related costs	29
IT & telecommunications	50
Vehicle/office maintenance	8
Publicity/Advertising/Translation	9
Travel, subsistence & hospitality	14
Recruitment	188
Auditor's remuneration	9
Other expenditure	131
Non-cash items:	
- depreciation	86
- cost of capital	7
	552

Other expenditure includes £181 paid to Barclays Bank plc in respect of interest and bank charges for the current account held by the Commissioner.

4. Fixed assets

	IT Equipment £000	Office Fixtures & Fittings £000	Furniture and Equipment £000	Total £000
Cost				
At 1 March 2001	-	-	-	-
Additions	78	142	158	378
Disposals	-	-	-	-
At 31 March 2002	78	142	158	378
Depreciation				
At 1 March 2001	-	-	-	-
Charged in year	26	28	32	86
Disposals	-	-	-	-
At 31 March 2002	26	28	32	86
Net book value				
At 31 March 2002	52	114	126	292
At 1 March 2001	-	-	-	-

5. Movements in working capital other than cash

	2001-2002 £000
Increase/(decrease) in debtors	4
(Increase)/decrease in creditors	(75)
	(71)

6. Debtors**2002
£000****Amounts falling due within one year:**

Prepayments and accrued income

4

4**7. Cash at bank and in hand****2002
£000**

Balance at 1 March 2001

-

Net cash inflow/(outflow)

16

Balance at 31 March 2002**16**

Commercial banking services of Barclays plc are used. The following balances were held at 31st March:

**2002
£000**

Commercial banks and cash-in-hand

16

16**8. Creditors: amounts falling due within one year****2002
£000**

Trade creditors

32

Taxation and social security

13

Accruals & deferred income

30

75**9. Reconciliation of net operating cost to changes in the general fund****2001-2002
£000****Net operating cost for the year**

(Schedule 2)

(706)

Net funding from the National Assembly for Wales

936

Non cash adjustments:

- cost of capital

7

Net increase in the general fund**237**

General fund at 1 March 2001

General fund at 31 March 2002

(Schedule 3)

237

10. Commitments under operating leases

	2002 £000	
	Land & Buildings	Other
At 31 March 2002 the Commissioner was committed to making the following payments during the next year in respect of operating leases expiring:		
- within one year	-	-
- between two and five years	-	9
- after five years	52	-
	52	9

11. Capital commitments

There were no capital commitments as at 31st March 2002.

12. Contingent liabilities

There were no contingent liabilities as at 31 March 2002.

13. Related Party Transactions

The National Assembly for Wales is a related party. The Commissioner has had a small number of material transactions during the period with the National Assembly for Wales.

None of the key managerial staff have undertaken any material transactions with the Children's Commissioner for Wales during the period.

APPENDIX ONE

Visits, meetings and conferences

The list below refers to work personally undertaken by the Commissioner and is included to give an indication of the type and range of groups and organisations with whom he met in the first year. It does not include many meetings with individuals, informal contact with young people, or work undertaken by the rest of the staff team.

CHILDREN AND YOUNG PEOPLE

Aberystwyth Secondary School
Aberystwyth Theatre Group
Barry Young People's Forum
Black Youth Network
Blaenau Gwent Young Carers Project
Brecknock Play Group
Brecknock Sure Start
Brecon Special Needs School
Bridgend Children's Homes
Bridgend Youth Forum
Caerphilly Youth Forum
Christchurch School
Conwy Sure Start
Cyber Café-Milford Haven
Disabled Young People's Reference Group
Denbigh Mother and Babies Home
Doorway Youth Information Centre
Glan-y-Mor Comprehensive
InfoNation-Swansea
Llandrindod Wells Secondary School
Newport Primary School
Swansea Youth Forum
Pembrokeshire Young People's Conference
Torfaen - Celebration of achievement awards
Traveller Children, Barry
Vision Foundation, Ebbw Vale
Welsh Women's Aid
Ynys Môn Children and Young People's Week
Youth Action Awards

UK AND FOREIGN ORGANISATIONS

Association of Young People with ME
Bris (Swedish ChildLine)
Cafcass
ENOC-European Network Ombudspersons for Children
Health and Public Services Ombudsman-London
Howard League for Penal Reform
Joint Human Rights Committee
Local Government Ombudsman
Northern Ireland seminar on Commissioner
Norwegian Children's Ombudsman's Office
Scottish Parliament- Commissioner Committee
Swedish Children's Ombudsman's Office
United Nations Special Session on Children - New York

NATIONAL ORGANISATIONS (WALES)

Audit Commission
Association Directors of Social Services
BAAF
Barnardos
BASW
British Association for Early Childhood Education
Churches Child Protection Committee
Carers National Association
Children in Wales
Clover Care
Disability Rights Commission
Eisteddfod
Fertility Association
Fostering Network

Governors Wales
Leaving Care Forum
Legal Services National Forum
National Association of Childcare Organisations
National Youth Service
National Foster Care Association
NAW
NCH
NSPCC
Royal College Nursing (Wales)
Royal College Paediatricians (Wales)
SCF
SCOVO
Ty Hafan
Urdd Eisteddfod
Voices from Care
Wales Youth Agency
Welsh Collaboration for Health and Environment
Welsh Council for the Blind
WDA
Welsh Education Forum
Welsh Language Board
Welsh Local Government Association
Welsh Women's Aid

LOCAL AGENCIES

Bobath
Bridgend Social Services
Bro Taf Health Authority
Bro Morgannwg NHS Trust
Buttle Trust
Cardiff University
Carmarthen Council
Carmarthen College
Ceredigion Council
Gibbonsdown Centre

Gwent Cancer Support
Gwynedd Children and Families Forum
Home Start Flintshire
JIGSO
Merthyr Tydfil Council
New Pathways
Newport Council
Ogmore Trust
Parc Prison
South Wales Police
Swansea Prison
Swansea Family Courts Interdisciplinary Forum
Swansea University
Swansea Association of Governing Bodies
Wrexham Children's Nursing Forum

CONFERENCES/LAUNCHES

After Waterhouse
Altering Attitudes
Adolescent Health Care Needs
Black Youth Charter Launch
Children are Unbeatable
Children's Manifesto
Children's Mental Health
Child Rights and Participation
Community Care Live
Disability Rights
Family Law
Focusing on Children's Issues in Rural Wales
Homophobia
Howard League
Listening to Children
Think Positive
'So How Are the Children?'
Stop it Now-NOTA

APPENDIX TWO

CHILDREN'S COMMISSIONER FOR WALES

Clywch Examination

TERMS OF REFERENCE

1. To examine statements by former pupils of John Arwyn Owen and others and to establish whether any matters which should have given rise to concern were investigated in accordance with good practice and guidance that was available at the time. To identify any lessons to be learnt from the way any such matters were investigated and to consider whether current guidance, procedures and policies are adequate in the light of what may have occurred.
2. To examine the extent to which children and others involved felt encouraged and able to share their concerns with appropriate adults and to evaluate present arrangements in that regards.
3. To consider the report of the Serious Case Review Committee of Rhondda Cynon Taff Area Child Protection Committee.
4. To examine safe practice and procedures for working with children in the performing arts in the light of what may have occurred in this instance.